

Committee Report

Item No: 8A

Ward Member: Cllr Deborah Saw

Reference: DC/21/02405

Case Officer: Daniel Cameron

RECOMMENDATION – GRANT RESERVED MATTERS APPROVAL SUBJECT TO CONDITIONS

Description of Development

Application for approval of reserved matters following outline application B/15/01433 Town and Country Planning Order 2015 - Appearance, Scale, Layout and (Discharge of Condition 20 - Landscaping details) for the erection of 48No dwellings.

Location

Land East of Artiss Close And, Rotheram Road, Bildeston, Suffolk

Expiry Date: 12/01/2024

Application Type: RES - Reserved Matters

Development Type: Major Small Scale - Dwellings

Applicant: Orbit Homes

Agent: Rachel Morwood

Parish: Bildeston

Site Area: 3.1ha

Density of Development: 15.4 dwellings per ha.

Details of Previous Committee / Resolutions and any member site visit: Outline planning permission was granted on 20th October 2017 under reference B/15/01433 and an application for reserved matters approval was brought before Planning Committee on 30th November 2022 but was pulled as the site was purchased by another developer. A site visit was carried out on the 6th March 2024.

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: Yes, under reference DC/21/01778.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

Babergh District Council's scheme of delegation requires that applications which represent residential development for 15 or more dwellings be determined by Planning Committee.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

Joint Local Plan Policies

SP01 - Housing Needs
SP03 - The sustainable location of new development
SP09 - Enhancement and Management of the Environment
SP10 - Climate Change
LP15 - Environmental Protection and Conservation
LP16 - Biodiversity & Geodiversity
LP17 - Landscape
LP19 - The Historic Environment
LP23 - Sustainable Construction and Design
LP24 - Design and Residential Amenity
LP27 - Flood risk and vulnerability
LP29 - Safe, Sustainable and Active Transport
LP32 - Developer Contributions and Planning Obligations

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

N.B – Members should be aware that the comments presented below are in given in response to the amended plan prepared and submitted by Orbit Homes. Previous comments which relate to the previously submitted plans have been omitted for clarity.

Parish Council (Appendix 3)

Bildeston Parish Council Comments received 15th November 2023

The Parish Council OBJECTS on the following basis:

As per previous comments listed below, sent on 16 June 2021 and 13 July 2021, the Parish Council reiterate their concerns on housing design, surface water run-off, drainage, flooding and attenuation pond, also accessibility from the site to the rest of the village via footpaths/ cycle paths and storage for gardens and wheelie bins.

Housing design is uniformly bland and uninteresting. See comments previously sent below.

With regards to the water run-off no capacity or calculations are given, this has been an issue since the outline application. The attenuation pond is uninspiring and could look more natural. The recent Storm Babet rain caused considerable high water and overtopping of the brook behind The Brooks house, along the Public Rights of Way footpath.

It is disappointing to note that accessibility to the centre of the village from the site has not been addressed for a direct pedestrian (and possibly cycle) link from the development to the village centre. While we appreciate that outline permission was granted without such a link, we are disappointed that our offer in 2017 to help facilitate such a link was not taken up. This offer still stands. The Parish Council understood Orbit Housing were going to put a footpath through Artiss Close.

External storage has still not been addressed. The Parish Council would remind Babergh DC of the issues experienced at Paddocks Way with wheelie bin storage. There is also no garden storage.

National Consultee (Appendix 4)

Anglian Water Comments received 8th November 2023

We consider that the impacts on the public foul sewerage network are acceptable to Anglian Water.

Environment Agency Comments received 8th November 2023

No comments.

Historic England Comments received 23rd October 2023

No comments.

Internal Drainage Board Comments received 8th November 2023

The site lies outside of the IDB catchment; therefore the board has no comments.

Norwich International Airport Comments received 20th October 2024

From a safeguarding viewpoint, this development will not provide a significant collision risk to aircraft operating in the vicinity of the airport.

UK Power Network Comments received 9th November 2023

No comments.

County Council Responses (Appendix 5)

Archaeology Service Comments received 8th November 2023

Conditions 6 and 7 of the Outline planning permission have secured archaeological investigation, mitigation and reporting for the site. As a result, there is no requirement for additional conditions relating to the reserved matters application.

Development Contributions Comments received 20th October and 8th November 2023

It is noted that the Outline planning permission has a binding Section 106 Agreement attached. Obligations previously entered into remain in force. Should the scheme be altered to provide 100% affordable housing, it should secure a deed a variation which will impact on CIL receipts from the development.

Fire and Rescue Team Comments received 25th October 2023

A planning condition is attached to the Outline planning permission to secure delivery of an onsite fire hydrant.

Flood and Water Team Comments received 23rd October 2023

The LLFA recommends a holding objection at this time. Additional detail with regards to the SuDS strategy.

Flood and Water Team Comments received 3rd November 2023

The LLFA recommends a holding objection at this time. Additional detail with regards to the SuDS strategy.

Flood and Water Team Comments received 29th January 2023

The LLFA recommends approval at this time.

Highways Team Comments received 9th November 2023

The revised proposal is generally acceptable to the Highway Authority, however the internal footpath link between the access roads (alongside plots 36 and 48), that is seen as a key link to encourage sustainable travel is shown as mown grass on the landscape drawing (LSDP 2100.01 Rev B). This would not be suitable for vulnerable road users or year-round use and should be amended to a bound surface that is a suitable width to accommodate pedestrians and cyclists.

Similarly, condition 9 of B/15/01433 (amended by DC/20/04666) states that the footpath link to existing PROW Bildeston FP1 should be hard surfaced.

Travel Plan Team Comments received 19th October 2023

No comments.

Internal Consultee Responses (Appendix 6)

Communities Team Comments received 1st December 2023

There is concern at the provision of play equipment being a lesser offer than previously shown.

Environmental Health – Air Quality Comments received 9th November 2023

No comments.

Environmental Health – Noise, Odour, Lighting, Smoke, etc Comments received 6th November 2023

Requirement for a noise assessment given the proximity of neighbouring commercial business as well as a light spill diagram to support the lighting strategy.

Environmental Health – Noise, Odour, Lighting, Smoke, etc Comments received 9th December 2023

The submitted light spill drawing needs to be based on the vertical plane as well as the horizontal.

Environmental Health – Noise, Odour, Lighting, Smoke, etc Comments received 18th March 2024

Thank you for your re-consultation on the above application. I have had regard to the noise impact assessment (NIA) submitted with the application (prepared by Adrian James Acoustics, ref AJA report no 14063/1 dated 29th Feb 2024)

The NIA finds the typical background noise level to be 38dB,LA90. This is then compared with the specific noise level from the factory, having been adjusted for acoustic features in line with methodology given in BS4142. The NIA finds that the noise from the factory will be +7dB above background noise levels at garden plot 1 – which is indicative of an ‘adverse impact’ due to noise, and +3dB at garden plot 35 which is indicative of a minor adverse impact (just perceptible), both are under the BS8223 absolute noise levels for a good external acoustic environment. The noise from the factory would be clearly discernible to residents. The NIA gives a contextual view that these are new dwellings and thus residents would be aware of the presence of the factory, and that the separation distance would be similar to that of the factory and Rotherham Road. It is of note that the Environmental Protection team are currently in receipt of noise complaints from local residents about noise from the factory following an upgrade to some machinery – the factory are working to resolve this but I state this purely to emphasise that existing residents are aware of noise from the factory.

The NIA finds that internal noise guideline values as given in BS8223 can only be achieved with windows closed (based on standard non-acoustic glazing and standard trickle vents. This will mean that this proposal would only be acceptable if you would find it acceptable in planning terms for dwellings to have to keep all windows closed throughout the operating hours of the factory (it is likely the plots to the north of the site will be shielded to a degree by those closer to the factory and thus may achieve a better acoustic environment).

If so, this would achieve an internal environment of 32dB LAeqT which is acceptable for daytime hours. However, should the factory operate before 7am (which on occasion it does, and my understanding is that the boiler system fires up in advance of this) then this value would slightly exceed the 30dB night time guidance value to ensure a good acoustic environment for sleeping). Plots 1, 35/36, 48 have bedrooms with windows facing the factory and thus are particularly susceptible to noise. I would suggest that an upgraded glazing and ventilation package be proposed for the plots closest to the factory to ensure a noise limit of 30dB, LAeqT is achieved, to ensure a good nighttime environment can be achieved. This would minimise the likelihood of complaints, which might fetter the factory’s operation. I am unsure as to whether the factory operating hours are controlled by means of planning condition as B//87/01296 is not viewable online, but if the factory is permitted to operate outside the periods of 07.00 – 23.00hrs then the proposed dwellings must be designed so as to ensure that an internal nighttime environment of 30dB,LAeqT can be achieved.

In terms of external amenity areas, I would recommend the following condition be attached to any permission:

Plots 1, 48, 35 & 36 should have a 1.8m high close boarded fence or wall to the southern boundary fence of the garden. This should be of solid construction, with an area density of 10kg/m² with no holes or gaps.

Heritage Team Comments received 24th November 2023

Concern is raised regarding the potential for increased flood risk within the village and the holding objection lodged by the LLFA and should be resolved.

Based on the revised scheme, it is considered that the appearance, scale, layout and landscaping details would not cause harm to any heritage assets.

Place Services Ecology Comments received 16th September 2022

Support discharge of the Outline conditions relating to ecology. Additional information should be provided in light of Biodiversity Net Gain.

Place Services Ecology Comments received 15th March 2024

We have reviewed the submitted documents for this application, including the Ecological Report (Wild Frontier Ecology Ltd, February 2024), the Landscape Proposal – Rev G (Land & Sculpture Design partnership Ltd) and the Responses to Consultee comments (Popham Ltd, February 2024).

We do generally support the proposed planting specifications and schedules set out within the Landscape Proposal – Rev G (Land & Sculpture Design partnership Ltd). We also welcome the inclusion of Wych Elm (*Ulmus glabra*) in line with the requirements of condition 28 (bullet point 7), for the purposes of providing a food plant for White-letter Hairstreak butterfly, a Priority species which was recorded within the site in 2015. We note that Pedunculate Oak (*Quercus robur*) have been included as standard trees, so these will not have much benefit for Hazel Dormouse. However, we are satisfied that the native hedge mix 1 and native shrub hedge does contain suitable species for the protected species. Furthermore, impacts have now been avoided upon the semi-natural deciduous woodland to the north of the site. As a result, we support the precautionary measures outlined in the Ecological Report (Wild Frontier Ecology Ltd, February 2024) for this European Protected Species and that sufficient measures have been provided to meet the requirements of Condition 28 (Bullet Point 4).

Furthermore, we welcome the update of the Ecological Report (Wild Frontier Ecology Ltd, February 2024), which ensures that the ecological considerations are up to date in line with the amended plans and CIEEM guidelines. However, the update to the Biodiversity Enhancement Strategy (Wild Frontier Ecology Ltd, December 2021) should ideally be provided to secure the finalised details and locations of the bespoke enhancement measures, based on the updated proposals. A Biodiversity Enhancement Strategy should be secured as a condition of any consent if this not submitted as part of this reserved matters application. However, it is highlighted that the updated proposals still currently demonstrate an overall 0.12 loss in habitat units (-1.08%), including a Trading issue of 'Other Neutral Grassland' in medium condition. The extent of which can not be confirmed, given that the Biodiversity Metric 4.0 – Calculation Tool has not been submitted in excel format. As a result, whilst a net gain for hedgerow units will be secured, based on the metric calculations, a measurable biodiversity net gain will not be achieved even with the revised scheme proposed.

Nevertheless, we still query whether the off-site strategy for reptiles, approved under the part discharge for condition 28 (DC/20/01643) can not be used to address this trading issue and net gain loss. If the applicant's intention is not to proceed with the off-site strategy for reptiles approved under condition 28, with measures being secured fully on-site, then this should be clearly outlined to the LPA. In addition, information will be required to set out how the population can be retained on-site, with consideration to government standing advice on reptile receptor sites.

As of November 2023, applications are now required to identify and pursue opportunities for securing a measurable biodiversity net gain, equivalent to a 10% increase, in accordance with the adopted Babergh and Mid Suffolk Joint Local Plan policies SP09 and LP16. In addition, the need for developments to deliver biodiversity net gains is outlined in paragraph 180d & 186d of the National Planning Policy Framework (December 2023). However, in line with Biodiversity Net Gain PPG, we acknowledge that no requirements for BNG are required for reserved matters applications. Nevertheless, we encourage the developer demonstrate how a measurable biodiversity net gain can be achieved, without a trading loss to 'Other Neutral Grassland'.

Place Services Landscaping Comments received 22nd November 2023

A number of points are raised in regards to the design of the development:

- Appropriate levels of screening to site boundaries and sensitive boundary treatment to the countryside edge.
- A good quality and multifunctional green infrastructure.
- An attractive gateway entrance to the development which is sensitive to the rural setting/context of the site.
- A green public open space and recreation areas integrated within the residential layout with acceptable levels of passive surveillance.
- Nature based SuDS solutions: integration of blue and green infrastructure in the same corridor, optimise landscape, amenity and biodiversity benefits of the proposed attenuation area/SuDS.
- Tree planting and soft landscaping to soften hard surfaces, parking areas and built form.

Place Services Landscaping Comments received 15th March 2024

We are disappointed to see that the narrative and design principles established at outline stage under Site layout Option 7d have not been pursued and the proposal is progressing with a different layout (LSDP 2100.01 Rev B) to which we highlighted our concerns and provided comments. Since then, the landscape plan has been subject to amendments in a response to address our previous concerns. We welcome the changes made to the layout and open space areas, but we still have comments and recommendations emerging from the revised layout (LSDP 2100.01 rev G) that we believe will enhance the proposed scheme in terms of visual amenity and biodiversity.

a) The play area within the green open space has been expanded in size providing a better integration within the open space and relationship with the proposed dwellings at either side. We welcome the use of planting to define this area and the avoidance of hard fencing.

b) Pedestrian connectivity has been improved and now provides multiple options. This is welcome. We do notice that the pedestrian route through open spaces (both south and centre) are proposed as black asphalt surface. We request a permeable/unbound and softer surfacing material is proposed instead to deliver a more warm and natural appearance.

c) We still consider that the south part of the development is dominated by hard surfaces, especially the area to the east. We still feel that is not sufficient vertical accent to soften the built form and create an interesting and characterful public realm.

d) We welcome the additional trees to the hedge planting along the road B1078. We notice that this new hedge contributes to BNG. The Ecology report (February 2024) prescribes the species, percentages and maintenance for this native hedge in order to secure the benefits for BNG. The proposed native hedge mix shown on the landscape plan (LSDP 2100.01 rev G) does not match the species specification within the Ecology report. Species hedge mix needs to be updated to reflect those identified in the Ecology report.

e) The area of open space outside plots 35, 36 and 48 still lacks interest and purpose. There is opportunity to include elements to allow incidental natural play and feature tree planting to enhance the end vista into this space. Please note our comments above regarding the surfacing material use for the pedestrian route through this space.

f) The appearance of the gateway entrance into the development has not changed and still dominated by the hard standing access road into the substation building. The end vista upon entering the development is drawn to the open space but also the pedestrian route. Improvement to this vista should be explored further to include attractive planting or feature tree.

- g) We notice the hard edge created by square edge boundaries to Plots 16 and 17 and a softer approach will be beneficial to integrate the development into the open space and organic pedestrian route.
- h) The open grassed area to the north-east of the public open space could be enhanced by including a single feature specimen tree.
- i) We welcome the more organic shape of the attenuation basin but we notice the lack of planting to this SuDS feature. Apart from the proposed meadow grass, it does not deliver any other biodiversity benefits. To improve biodiversity the attenuation areas should be combined with a range of vegetation types such as wildflowers and other nectar rich plants, trees and shrubs, grasses of various heights, drought tolerant species as well as marginal aquatics and wet grassland.

We note the applicant's comment with regards concrete headwalls. When concrete headwalls need to be used, these could be combined with planting arranged in a naturalistic form to soften its appearance.

- j) We noted that the closeboard fencing to site boundaries to the west and east has been proposed within the existing vegetation. We query the practicalities of installing the fencing within the established vegetation. This needs to be clarified. We would expect the fencing to sit in front of the existing vegetation. Furthermore, a closeboard fencing will create a barrier to wildlife and a more permeable fencing should be considered. The use of hedgehog holes has been requested in the Ecology report and we would expect this to be shown in the key on the landscape plan or relevant drawings.

Place Services Urban Design Comments Received 14th December 2023

A number of points are raised in regards to the design of the development:

- We would request an explanation of the narrative of pulling back of the dwellings from the northwest corner which has the unfortunate consequence of exposing rear boundary fences to the Rotherham Road properties backing on to the site.
- We prefer the positive back-to-back relationship established in the outline illustrative layout.
- We also note that this move now means that rather than having a central amenity space as the outline illustrative plan, most green space is concentrated to one end of the site, and we would therefore welcome attempts to provide green connections throughout the layout.
- We note that our advice regarding additional NPPF paragraph 131 street trees has also not been taken meaning there is a missed opportunity to provide green connected space running through the development.
- We welcome the definition of the amenity space tree planting.
- We also note that our advice regarding strengthening of the planting on the north and east boundaries in line with the illustrative layout not been taken. This opens the site up to views from the east which may not be acceptable and further justification of this approach is required.
- We would expect the house types to be amended with the guidance produced above to create a contextual and high-quality design.

Public Realm Comments Received 23rd October 2023

Additional detail is required around securing Biodiversity Net Gain on site, particularly with regards to mix of additional hedgerows and associated management of the landscape.

Public Realm Comments Received 5th December 2023

It is requested that the same level of play equipment offer as per the previous application is provided onsite.

Strategic Housing Comments received 9th November 2023

Whilst not consistent with the affordable housing mix secured at Outline, the changes represent a benefit, particularly with the inclusion of social rent properties. The proposal represents a helpful contribution to

the meeting the District-wide affordable housing needs in a location with challenging affordability and a large number of households on the housing register with a local connection to the parish. Whilst all units meet the Nationally Described Space Standard, it is not clear whether any units meets Part M4(2) of Building Regulations.

N.B Final drawings show 24 dwellings would meet the higher Part M4 standard.

Suffolk Wildlife Trust Comments received 9th November 2023

No comment.

B: Representations

At the time of writing this report at least 4 letters/emails/online comments have been received. It is the officer opinion that this represents 3 objections, 0 support and 1 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Design is an improvement over the previous scheme.
- Frontage design is weak and turns away from the road frontage.
- Materials should be natural and some inclusion of white brick would be welcome.
- No solar panels or details of sustainability measures are noted.
- Concern regarding development traffic routing through Bildeston.
- Concern regarding outflow from SuDS and surface water drainage.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

Previously, the application had generated at least 6 letters/emails/online comments have been received. It is the officer opinion that this represents 6 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Previous views are as summarised below:

Objections to the scheme note the following material planning considerations:

- Size of scheme represents 10% growth on existing dwellings in Bildeston.
- Lack of integration to rest of village.
- Impact on local highways network and particularly impact of HGV traffic through villages to supply the site with building materials.
- Materials chosen do not reflect local character.
- Insufficient information on how development here affects neighbouring site at Rotherham Road and Artiss Close which are lower.
- Layout of the development is too formal and car dominated and restrict passive solar gain within site.
- Ecology impacts and lack of biodiversity enhancement.
- Flooding not satisfactorily dealt with.

PLANNING HISTORY

REF: DC/19/05285	Discharge of Conditions Application for B/15/01433 - Condition 5 (Contamination), Condition 6 (Archaeological Works), Condition 28 (Part Discharge- Protected Species Mitigation Measures)	DECISION: PGR 02.04.2020
REF: DC/20/01643	Discharge of Conditions Application for B/15/01433- Condition 28 (Part Discharge- Protected Species Mitigation Measures)	DECISION: GTD 18.05.2020
REF: DC/20/04666	Application for Non Material Amendment to Condition 9 relating to B/15/01433 - To allow for alterations to wording relating to footpath.	DECISION: GTD 04.11.2020
REF: DC/20/04902	Application for the Modification of Section 106 Planning Obligation dated 19 October 2017 relating to B/15/01433 under sub-section 106A (1) (a)	DECISION: GTD 11.12.2020
REF: DC/21/02405	Application for approval of reserved matters following outline application B/15/01433 Town and Country Planning Order 2015 - Appearance, Scale, Layout and (Discharge of Condition 20 - Landscaping details) for the erection of 48No dwellings.	DECISION: PCO
REF: DC/23/04581	Discharge of Conditions Application for B/15/01433 - Condition 6 (Archaeological Works)	DECISION: GTD 08.11.2023
REF: B/16/00859	Application under Section 73 of the Town and Country Planning Act (1990) to vary condition 29 attached to Planning Permission - B/15/1433/OUT (Outline - Erection of 48 residential dwellings with detailed consideration of access) - Prior to occupation of the dwellings the replacement of those parts of the frontage boundary hedge that are to be removed will be	DECISION: DIS 29.01.2018

undertaken in accordance with the details shown on Smeeden Foreman plan reference LL01 dated 13 June 2016

REF: B/15/01433	Outline - Erection of 48 residential dwellings with detailed consideration of access.	DECISION: GTD 20.10.2017
REF: B/14/01435	Outline - Erection of 49 residential dwellings with details of access, as amended by details received 23rd January 2015, 24th & 25 February 2015.	DECISION: REF 07.05.2015
REF: BIE/13/00949	Policy CS11 - Proposed Residential Development of up to 80 dwellings	DECISION: PCO
REF: B//02/01567	Application under Regulation 3 of the Town and Country Planning General Regulations 1995 - Outline - Residential development (for local needs housing).	DECISION: WDN 24.10.2002

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The site is located to the east of Bildeston's settlement boundary and was previously utilised in arable cultivation. The site is currently laid to grass. The topography of the site slopes from its south-east corner. The fall across the site is from 56m above ordinance datum (AOD) at the highest point in the south-eastern corner adjacent the B1078 to 44m AOD in the north-west corner of the site. A stream (Bildeston Brook) is located to the north of the site.
- 1.2 To the immediate west of the site is Artiss Close and residential development on Rotherham Road. Both of these developments are cul-de-sac estates layouts with properties backing onto the site. Artiss Close and Tailor Made Joinery across the road mark the current village entrance.
- 1.3 Bildeston's spatial character is one of an historic core with conservation area status with estate style development set out to the east of this core. The village and its historic core retain a visual affinity to the countryside surrounding the village and its landscape setting, particularly to the west.
- 1.4 A public right of way runs north to south through the field to the east of the site, parallel to the eastern boundary of the site. A public footpath runs along Bildeston Brook to the north of the site and connection to this public right of way is secured through the outline planning permission.

2. The Proposal

- 2.1 The application provides reserved matters detail for matters of appearance, landscaping, layout and scale for the erection of 48 no. dwellings. Matters relating to access were fixed as part of the outline planning permission.
- 2.2 The application was previously brought before Planning Committee on 30th November 2022 but was removed from the agenda on the day of the committee owing to the purchase of the site by Orbit and their intention to review and amend the detail of the reserved matters application. For clarity, the main amendments are:
- Amended layout;
 - Amended dwelling design;
 - Amended housing mix;
 - Amended surface water drainage details; and
 - Amended landscaping details.
- 2.3 The amendments are considered to create a more effective and efficient use of the application site, increase open space within the site (from 0.67ha. to 1.25ha.), provide a mix of housing that better reflects needs of the district and increases the level of affordable housing on offer (comprising social rent and shared ownership) from 35% to 100%.
- 2.4 The proposed housing mix comprises the following:

PLOT	TYPE	NO.	AREA (sq. m)	AREA (sq.ft)	DESCRIPTION
Shared Ownership:					
	Fern	7	71.91	774.04	2 bed house
	Rowan	9	80.06	861.77	2 bed house
	Elder	8	88.63	954.01	3 bed house
	Poplar	7	95.08	1023.44	3 bed house
	Elm	4	115.25	1240.55	4 bed house
Total:		35			
Social Rent:					
	Rowan	3	80.06	861.77	2 bed house
	Poplar	7	95.08	1023.44	3 bed house
	Ramsworth	1	71.20	766.40	2 bed bungalow

	Gorse	2	50.44	542.94	1 bed bungalow
Total:		13			
TOTAL:		48			

- 2.4 All dwellings comply with Part M of Building Regulations and all dwellings meet with nationally described space standards.
- 2.5 Access to the site is taken from the B1078 with internal roads creating a single spine road within the site with the exception of a single private access. Dwellings are to take access directly from the spine road or from the private access. 42 of the plots have their own vehicular accesses from the spine road or private drives. The remaining 6 plots benefit from vehicular access to off-plot parking. 12 visitor parking spaces are provided within the scheme. There are no instances of triple parking within the scheme. Pedestrian access is taken from the same road with a footpath provided between Paddocks Way and the new access to be created to serve the development. A footpath connection is also provided within the site to the wider public right of way network.
- 2.6 The material palette for the scheme is comprised of red brick, cream renders, weatherboarding, red pantiles, red plain tiles, slate and white uPVC windows and doors.
- 2.7 Surface water drainage is proposed to utilise a piped network which will be discharged into a SuDS basin located to the north of the site. The basin will discharge via gravity into the adjacent watercourse which in turn feeds into Bildeston Brook. It has been designed to accommodate 1 in 100-year flood events factoring in climate change predictions. Foul water drainage is to be gravity fed into the sewer system serving Bildeston.
- 2.8 The open space within the site is to incorporate a play area comprising both natural play elements as well as more formal equipment.
- 2.9 All properties are designed to be served by air source heat pumps and each property is also served by an electric vehicle charging point.
- 2.10 Back to back distances within the site are 25m minimum while back to back distances with existing properties to those on Artiss Close are marginally greater with between 26m and 30m noted. Existing landscaping is to be retained along the site boundary such that additional screening is noted.

3. The Principle of Development

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 3.2 JLP policy SP03 is clear that existing settlement boundaries are as established within the earlier Local Plans and Core Strategies and are carried forward until such time as they are reviewed.

The principle of development is established within settlement boundaries. However, for the purposes of this application site falls outside of the settlement boundary for the village of Bildeston.

- 3.3 The policy goes onto state that new housing development shall only come forward through extant planning permissions, allocations within made Neighbourhood Plans, windfall development described within the other policies of the JLP or are brought forward within the forthcoming Part 2 of the JLP.
- 3.4 For the purposes of this application, the outline planning permission granted under reference B/15/01433 is considered to establish the principle of residential development on the site for up to 48 no. dwellings. To that end, Members are not tasked with re-considering the planning permission from scratch; rather, it is necessary to consider those details reserved under the planning permission for determination at this current stage of the overall process. The principle of development is therefore effectively fixed, subject to the conditions attached to the grant of outline planning permission.
- 3.5 In summary, the acceptability of the identified site to accept 48no. dwellings is established in principle and is the starting point for the determination of this reserved matters application.

4. Nearby Services and Connections Assessment of Proposal

- 4.1 The application is located on the edge of Bildeston, a core village, as identified within Core Strategy policy CS2. Core villages are to act as a focus of development within their functional cluster and are considered to have sufficient services and facilities to accommodate a degree of housing growth.
- 4.2 The application site is located around 500m from High Street up the B1078 putting future residents within a reasonable walking distance of most of the shops, public houses and primary school. The application proposes the connection of the site to the footways within Bildeston in order to facilitate this. In addition, a footpath connection to the wider network of footpaths crossing the countryside is proposed and secured as part of the Section 106 attached to the outline of this application.
- 4.3 For reference, the Chartered Institution of Highways and Transportation (CIHT) Planning for Walking document states "Across Britain about 80 per cent of journeys shorter than 1 mile are made wholly on foot". Furthermore, the CIHT guidelines for Providing Journeys on Foot sets out desirable walking distances for journeys with acceptable walking distances of between 400 and 1000m, with the maximum of 1200m being suggested. The Department for Transport Local Walking and Cycling Infrastructure Plans Technical Guidance for Local Authorities sets out a core walking distance of 400m (approx. 5 minutes), with a 2km radius around this, extending the walking zone to 2.4km. It is considered that the site would offer a good level of connectivity to the rest of the village.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 Policy LP29 of the JLP requires that all development demonstrates safe and suitable access for all, prioritising sustainable and active transport. Onsite parking is to be informed by the relevant parking guidance.
- 5.2 Paragraph 115 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual

cumulative impacts on the road network would be severe. No such impact is found with the application.

- 5.3 Details of the access were agreed at outline stage and are unchanged here. Consultation with the Highway Authority notes that the access and its visibility splays are acceptable. It is considered that the pedestrian connection is similarly acceptable and would provide a suitable route to make a walking connection to the services within Bildeston. Onsite parking meets adopted standards and is noted to secure electric vehicle charging points within the scheme.

6. Design and Layout

- 6.1 Place Services Landscaping and Urban Design provide critical comments relating to the amended layout provided by Orbit Homes, in particular they view the historic core of Bildeston as exemplar design for the village. Orbit note that the immediate context of the site are the adjacent developments at Rotherham Road and Artiss Close and that their development will be seen within that context given it is at a greater remove from the historic core of the village. They give a greater level of detail within their submitted additional design statement.
- 6.2 Officers consider that the argument given is rational. The site is viewed in context of the modern developments rather than in context with the historic core of Bildeston. As such the appearance of the dwellings reflect the adjoining material palette of Artiss Close and Rotherham Road. They are majority two storey and none are greater than 9m in height owing to conditions imposed at Outline stage.
- 6.3 Development is ordered towards the site frontage in order to continue built form along road frontage and is laid out in a rough H shape, retaining the central play area approved at Outline stage. Concentration of development away from the northern end of the site allows for below ground heritage uncovered during archaeological investigation of the site to be preserved in situ and to further deliver a gravity fed SuDS solution.
- 6.4 Additional details emblematic of Bildeston have been reflected within the elevational treatments of the units proposed and include square bay windows, stone cills, brick arches to windows, chimneys to prominent plots and projecting barge boards and eaves. In summation, it is considered that the proposed design sits comfortably with the adjoining development while still incorporating the traditional design elements that are particularly pronounced within the village. Officers consider that the proposed design is appropriate and can be supported.

7. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 7.1 On-site vegetation is proposed to be retained and incorporated within the layout of the development. This is then to be enhanced further with additional planting within the site. Planting specifications have been subject to consideration by Place Services Ecology who confirm they are appropriate native species. Given the edge of settlement location of the site adjacent to open countryside, it is considered that a softer boundary approach is warranted. In views from the countryside, the site would be seen against the backdrop of existing residential development and would sit well in context.
- 7.2 Specific comments regarding wildlife impacts have also been taken from Place Services Ecology. They note that details regarding on site ecology are acceptable, as are on site biodiversity enhancements and lighting. They do note that off-site provision for additional biodiversity enhancement is required of the development, this is already secured via condition applied to the outline planning permission.

- 7.3 Biodiversity net gain is not required delivered on reserved matters applications where the outline is determined prior to the introduction of the net gain policy as noted within the response from Place Services – Ecology and the detail given within the PPG. They do note that there is a slight loss of habitat within the site (around 1%), however, this is not fatal to the application and moreover, could be overcome should the off-site biodiversity condition be reconsidered by the applicant.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 Land contamination was assessed at outline stage and found to be acceptable. There is no need to revisit this issue within this application.
- 8.2 The SuDS scheme has been reviewed by the Lead Local Flood Authority who recommends approval of the supplied details. It ensures that surface water run off from the site is captured and stored within the onsite SuDS basin capable of dealing with a 1 in 100-year flood event, taking into account climate change with an additional buffer on top. It is proposed that water stored in the SuDS basin would be released at a similar rate to an undeveloped green field site.
- 8.3 Anglian Water have capacity to accept the flows from this development site and no issue is noted with regards to their ability to deal with the flows. The Internal Drainage Board have no comments to make as the application would not affect their assets.

9. Heritage Issues

- 9.1 The duty imposed by the Listed Buildings Act 1990 imposes a presumption against the grant of planning permission which causes harm to a heritage asset. A finding of harm, even less than substantial harm, to the setting of a listed building must be given “*considerable importance and weight*”. (*Bath Society v Secretary of State for the Environment [1991] 1 W.L.R. 1303). While paragraph 199 of the NPPF further states “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).*”
- 9.2 The Council’s Heritage Team were consulted on the outline application and noted that the site would have little impact on either the setting of the Parish Church within Bildeston or upon the Bildeston Conservation Area. Development is located adjacent to other modern residential estates, at the periphery of both the conservation area and the setting of the Parish Church. Consultation on this application with Historic England has not identified any issue with the application as it currently stands.
- 9.3 Specific comments from the Council’s Heritage Team was taken on the amended reserved matters application and there is no objection to the proposed scheme noted. They consider the site would not impact on the setting of listed buildings within Bildeston or on the Bildeston Conservation Area.
- 9.4 Archaeological investigation of the site has been secured under the Outline planning permission and site investigation has taken place. This has informed the current layout of the scheme with a larger green area to the north ensuring that archaeological finds are preserved in situ.

10. Impact on Residential Amenity

- 10.1 Back-to-back distances with existing development is considered to be good, at minimum 26 metres. Members should note that these properties with minimum back to back distances are proposed at bungalows, such that their impact on neighbouring privacy would be low due to their lack of a first floor to facilitate any overlooking. In any event intervening planting and boundary fencing would combine to protect the privacy of existing properties. Two storey properties benefit from a greater back to back up to a maximum of 30m, and again intervening planting and boundary fencing would be applied to the boundary.
- 10.2 Internally, back to back distances are reduced slightly, but 25m is still considered to be adequate to protect amenity with intervening fencing.

11. Planning Obligations / CIL

- 11.1 A Section 106 Agreement is in place for the application site and secures the following contributions:
- 35% affordable housing to be delivered onsite;
 - Footpath link within site;
 - Delivery on public open space within the site;
 - Management scheme for public open space
- 11.2 With regards to the affordable housing delivery onsite, a further deed of variation to the Section 106 Agreement will be sought.
- 11.3 Management of public open space is either to be taken on by a management company, the details of which are to be provided to the Council, or the developer can opt to transfer the open space to another public body (either the Council or Bildeston Parish Council). In this event development cannot commence until such time as a completion agreement with the relevant public body has been agreed to secure the transfer of the public open space for a peppercorn contribution and to secure funding for ongoing maintenance of the public open space.
- 11.2 It is important to note that Community Infrastructure Levy would not be collected from the application site in addition to the infrastructure contributions secured under the Section 106 as the entirety of the site is offered as affordable housing and is therefore exempt from CIL.

12. Parish Council Comments

- 12.1 Comments from the Parish Council are noted and while most are dealt with within the body of this report, for clarity they are briefly noted here.
- 12.2 Issues regarding surface water flooding have been amended to the satisfaction of the LLFA. They are content that the attenuation basin within the site would be capable of storing surface water in a 1 in 100-year flood event taking into account climate change data with an additional storage capacity on top. This would ensure that surface water would be stored on site and slowly released over time at a green field run off rate or better.
- 12.3 Comments regarding design have been taken into account, incorporating both Place Services Urban Design and Landscaping comments and have been positively addressed. Officers consider the design of the scheme acceptable.

- 12.4 The site will deliver an extension to the existing footway connecting the site to the village and will deliver a footpath connection to the wider public right of way network to the north-east. Orbit have considered whether a footway connection along Bildeston Brook could be delivered but have concluded it is not feasible to deliver.
- 12.5 External storage has been provided with each dwelling provided with an onsite shed and onsite storage location for refuse and recycling bins. The submitted refuse strategy shows that it is possible for a waste tender to access all proposed properties within the site.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1 The principle of development on this site has been agreed through the approval of B/15/01433 and this application only relates to matters of appearance, landscaping, layout and scale.
- 13.2 For information, the outline permission secured the following conditions. These do not need to be reimposed here. The conditions attached to the outline continue to apply to the site, as would any imposed under reserved matters:
- Time Limit for reserved matters to come forward.
 - Detail of reserved matters – appearance, scale, layout and landscaping
 - List of approved drawings for outline
 - Fire Hydrants
 - Land Contamination strategy to be agreed and undertaken
 - Archaeological works – submission of strategy
 - Archaeological works – submission of post investigation report
 - Provision of footway connecting to Bildeston
 - Provision of footpath link within site
 - Provision of village gateway and traffic calming to B1078
 - Details of internal roads and footways to be agreed
 - Agreed roads and footways to be provided prior to occupation
 - New access to B1078 to be formed prior to any other works on site (bar drainage works below)
 - Drainage to the access to be provided
 - Parking and turning areas within the scheme to be submitted and approved
 - Visibility splays to access to be provided and maintained
 - Landscape management plan to be submitted and agreed
 - Landscape protection measures to be enacted prior to development (retained trees and hedgerows to be placed behind protective fencing prior to construction)
 - Landscaping details to be agreed
 - Limit on number of storeys on site
 - Illumination restriction
 - Surface water drainage strategy
 - Flood risk asset register
 - Construction water management plan
 - Adoption and maintenance of pumping station
 - Sustainability statement
 - Ecology mitigation plan to be agreed

- Landscaping scheme for frontage hedge

- 13.3 With regard to details of appearance, layout, scale and landscaping, the application is found to be acceptable. It would sit comfortably with the immediate surroundings of the site, which are modern estate developments. It is not directly read against the finer grain of development seen within the centre of Bildeston, particularly the Parish Church and the conservation area.
- 13.3 Additionally, the site would deliver significant levels of affordable housing over and above the amount agreed within the Section 106 Agreement. This is a significant benefit of the development and would help to address district wide need. Further, the dwellings would meet nationally described space standards and would deliver a number of dwellings which would meet the higher accessibility standards set out at Building Regulations Part M4.
- 13.4 Other benefits associated with the site include gravity fed SuDS and foul water systems as opposed to the pumped systems previously utilised. The site would still serve to deliver a centrally located play area with the size of wider public open space offered also increased over the previous scheme.
- 13.5 The scheme does not reflect the design requirements that Place Services – Urban Design and Landscaping would prefer; however, it is necessary to avoid areas of high archaeological importance within the site and to deliver an above ground SuDS scheme. Comments regarding provision of a direct walking link to the centre of the village are noted. A footway is to be provided which would provide a walking route of 500m to High Street where the majority of services and facilities are located within Bildeston. A more direct route to the village centre is not feasible and would rely on other landowners to deliver.
- 13.6 Based on the above, Officers recommend approval of the reserved matters application. The scheme offers clear benefits not least affordable housing, internal play space and open space and gravity fed SuDS and foul water drainage. It is considered that subject to the conditions below being imposed, there is no matter raised by consultees that cannot be addressed.

RECOMMENDATION

That the Chief Planning Officer be authorised to APPROVE reserved matters subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- **Confirmation as to the scope of the approval given and noting that the condition attached to the outline remain in force.**
- **Development to be undertaken in accordance with the approved drawings.**
- **Materials to be agreed prior to works above slab level.**
- **Details regarding planting and maintenance requirements for SUDS basin to be agreed.**
- **Construction method statement to include details of HGV routing to site and hours of work.**
- **Prohibition of burning of waste materials on site.**
- **Details of light spill to be agreed.**
- **Details of noise output of ASHP to be agreed prior to installation.**
- **Details of noise fences for plots 1, 48, 35 and 36 to be submitted and agreed and then installed in accordance with agreed details prior to occupation.**

- **Details of onsite biodiversity enhancement to be agreed. Additional enhancement measures including swift nest bricks and hedgehog friendly fencing to be agreed.**
- **Requirement that identified dwellings meet higher accessibility standards.**
- **Requirement that dwellings meet higher water use standards.**

And the following informative notes as summarised and those as may be deemed necessary:

- **Proactive working statement**
- **Notes regarding Anglian Water assets within the vicinity of the site.**